Statement of Congressman Gerald E. Connolly
Ranking Member
Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform Hearing on
"Rhetoric vs. Reality, Part II: Assessing the Impact of New Federal Red Tape on Hydraulic Fracturing and American Energy Independence"
May 31st, 2012

Chairman Lankford, thank you for holding today's hearing.

EPA's website notes "Natural gas plays a key role in our nation's clean energy future." The President has made his support for natural gas extraction abundantly clear, most notably in the State of the Union. More natural gas is being extracted now, under President Obama's EPA, than any previous administration. The Obama administration's support for natural gas extraction is not debatable.

The real questions are: What are the risks of hydraulic fracturing, and what is the appropriate governmental response to them?

The gas companies claim that chemicals used in fracking cannot reach underground aquifers or surface water. Chemicals used in hydraulic fracturing are exempt from Safe Water Drinking Act disclosure requirements, due to a provision of the 2005 Energy Policy Act known as the "Halliburton Loophole." This disclosure exemption makes it practically impossible to know the full extent of dangerous chemicals injected into the ground by hydraulic fracturing operators. But fracking fluids frequently contain carcinogens and other toxic chemicals, and water contamination near fracking wells is occurring.

Energy and Commerce Committee staff conducted a study of chemicals used in fracturing and found at least 29 toxins including carcinogens such as benzene, naphthalene and acrylamide. This study found that at least 10.2 million gallons of fracturing fluid contained at least one known carcinogen. A separate study found over 32 gallons of fracturing fluid used between 2005 and 2009 contained diesel fuel, a violation of the Safe Water Drinking Act.

The EPA has confirmed that hydraulic fracturing in Pavilion, Wyoming caused water contamination. Many gas wells have spilled toxic chemicals, including the well-publicized rupture that spilled a large quantity of fracturing fluid into Towanda Creek, a tributary of the Susquehanna River and the Chesapeake Bay. Other large toxic releases such as on Dunkard Creek, Pennsylvania occurred only after hydraulic fracturing in the area. These toxic releases were not anomalous. The Bureau of Land Management recorded 2,025 violations of safety and drilling rules but only levied fines for 6% of those violations. The Pennsylvania Department of Environmental Protection found 272 violations in 2012 alone, and has gone to court following contamination of drinking water in Dimock by a fracturing operation.

To date, Virginia does not have active wells within the Potomac or James River watersheds. However, it is safe to say that the Virginia Department of Mines, Minerals, and Energy (DMME) lacks the scientific knowledge to protect the groundwater from the risks hydraulic fracturing. For instance, DMME approved a permit for a hydraulic fracturing operation in the headwaters of the Shenandoah River, allowing storage of fracking waste and associated toxic chemicals. The Shenandoah is a major tributary of the Potomac River, which provides most of the drinking water for the National Capital Region. For this reason, Fairfax Water and other public water agencies have urged lawmakers to protect our drinking water supply from toxins which could contaminate it as a result of hydraulic fracturing.

If we want to exploit the economic benefits of hydraulic fracturing as the President does, then we should also prevent harm to our drinking water and the safety of our communities. We cannot place the nation at such a risk without sufficient government regulation.